

**UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT
DOCKETING STATEMENT--CRIMINAL CASES**

Directions: Counsel must make a **docketing statement (criminal)** entry in CM/ECF within 14 days of filing a notice of appeal or cross appeal, or within the due date set by the clerk's docketing notice, whichever is later. File with the entry the (1) docketing statement form and any extended answers and (2) any transcript order form. Counsel who filed the notice of appeal is responsible for filing the docketing statement even if different counsel will handle the appeal. In criminal cases, counsel who represented the defendant below must continue on appeal unless the court of appeals grants a motion to withdraw. Appellants proceeding pro se are not required to file a docketing statement. Opposing counsel may file objections to the docketing statement within 10 days of service using the ECF event-**docketing statement objection/correction**.

Appeal No. & Caption	No. 22-4242 United States of America v. Zackary Ellis Sanders
Originating No. & Caption	1:20-cr-00143-TSE-1 United States of America v. Zackary Ellis Sanders
District Court & Judge	E.D.V.A., Judge T.S. Ellis, III

Jurisdiction (answer any that apply)		
Date of entry of order/judgment appealed from	04/01/2022	
Date this notice of appeal filed	04/13/2022	
If cross appeal, date first notice of appeal filed		
Date of filing any post-judgment motion		
Date order entered disposing of any post-judgment motion		
Date of filing any motion to extend appeal period		
Time for filing appeal extended to		
Is appeal from final order or judgment?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
If appeal is not from final judgment, why is order appealable?		

Transcript – Order all necessary transcript now. Extensions of the briefing schedule to order additional transcript are disfavored

(Identify necessary transcript dates and state whether the transcript is on file or a copy of the transcript order is attached.).

Trial Date(s):	10/19-22/2021; 10/25-27/2021	<input checked="" type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed
Plea Date:		<input type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input checked="" type="radio"/> Not Needed
Sentence Date:	04/01/2022	<input checked="" type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed
Other Date(s):	7/31/2020; 9/11/2020; 5/7/2021, 6/11/2021; 10/15/2021	<input checked="" type="radio"/> On Order or On File	<input type="radio"/> Order Attached	<input type="radio"/> Not Needed

Case Handling Requirements (answer any that apply)

Case number of any prior appeal in same case		
Case number of any pending appeal in same case		
Identification of any case pending in this Court or Supreme Court raising similar issue	If abeyance or consolidation is warranted, counsel must file an appropriate motion.	
Is expedited disposition necessary?	<input type="radio"/> Yes	<input checked="" type="radio"/> No
If yes, motion to expedite must be filed.		

Issues (Non-binding statement of issues to raise on appeal. Attach additional page if necessary.)

Whether the district court erred in holding that the warrant provided probable cause to search Mr. Sanders' home.

Whether the district court erred in denying Mr. Sanders' request for a Franks hearing or discovery in aid of a Franks hearing.

Whether the district court erroneously instructed the jury on the production charges, and misinstructed the jury on the meaning of sexually explicit conduct under 18 U.S.C. 2256(2)(A).

Whether the district court erred in excluding material fact evidence and proffered expert testimony on relevance and helpfulness grounds.

Whether the district court erred in admitting statements from Mr. Sanders that the FBI obtained in violation of his rights under the Fifth and Sixth Amendments of the U.S. Constitution.

Appellant's Name & Address	Counsel's Name & Address
Name: Zackary Ellis Sanders Address: Reg. No. 94249-083 FCI Butner-Low P.O. Box 999 Butner, N.C. 27509 E-Mail: N/A Phone: N/A	Name: Lawrence S. Robbins Address: Kramer Levin Robbins Russell 2000 K Street NW, 4th Floor Washington, DC 20006 E-Mail: lrobbins@kramerlevin.com Phone: (202) 775-4501

Signature: <u>/s/ Lawrence S. Robbins</u>	Date: <u>05/05/2022</u>
Counsel for: <u>Zackary Ellis Sanders</u>	

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Signature:	Date: